

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DAY ISLAND YACHT CLUB,

Plaintiff,

v.

CITY OF UNIVERSITY PLACE,

Defendant.

CASE NO. 3:23-cv-5652

ORDER GRANTING PLAINTIFF'S  
MOTION TO AMEND AND  
DEFENDANT'S UNOPPOSED  
MOTION TO EXTEND THE  
DEADLINE TO DISCLOSE EXPERTS

Before the Court are Plaintiff Day Island Yacht Club's ("Yacht Club") motion to amend and Defendant City of University Place's unopposed motion for an extension of time to disclose experts. Dkt. Nos. 21, 25. On January 26, 2024, Yacht Club moved to amend to add the City of Tacoma as a Defendant and to add additional claims against Defendant City of University Place. University Place did not oppose Yacht Club's motion but argued "the [two-month] delay in adding Tacoma may become prejudicial and may contribute to the need to amend the case schedule, depending on whether parties are forthcoming and cooperative in discovery, or whether disputes arise." Dkt. No. 24 at 3. University Place went on to say "[a]t this juncture, the parties have not had the opportunity to confer with

1 Tacoma on its views of the case schedule” and are not requesting any modification,  
2 “but the Court should require the parties to confer and provided an amended joint  
3 status report after the City of Tacoma is served and answers are filed.” *Id.* at 4.  
4 University Place also moved to extend the deadline to disclose experts to March 18,  
5 2024. Dkt. No. 25.

6 Courts “freely give leave [to amend a pleading] when justice so requires.”  
7 Fed. R. Civ. P. 15(a)(2). As a result, courts generally grant leave to amend “[i]n the  
8 absence of any apparent or declared reason—such as undue delay, bad faith or  
9 dilatory motive on the part of the movant, repeated failure to cure deficiencies by  
10 amendments previously allowed, undue prejudice to the opposing party by virtue of  
11 allowance of the amendment, futility of amendment, etc. . . .” *Foman v. Davis*, 371  
12 U.S. 178, 182 (1962).

13 Because University Place does not object, the Court finds no reason to deny  
14 amendment in this case. Accordingly, the Court GRANTS Yacht Club’s motion, Dkt.  
15 No. 21, and directs it to file the clean version of its proposed first amended  
16 complaint, Dkt. No. 21-1, within seven days of this order.

17 The Court also GRANTS nunc pro tunc University Place’s unopposed motion,  
18 Dkt. No. 25, and extends the deadline to disclose experts to March 18, 2024.

19 No later than 14 days after service of the first amended complaint, the Court  
20 orders the parties to meet and confer and to file a joint status report that includes  
21 proposed dates for the remaining case schedule.  
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1 Dated this 11th day of March, 2024.

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4 Jamal N. Whitehead  
5 United States District Judge  
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